



City of Seattle

Seattle Police Department

March 4, 2013

Alan Rathbun, Director
Licensing & Regulation Division
Washington State Liquor Control Board
P.O. Box 43098
Olympia, WA 98504-3098

Re: Library Sports Grill LLC
d/b/a Library Sports Grill
License #354009-2B
722 NE 45th Street
Seattle, WA 98105

Dear Mr. Rathbun:

The City of Seattle opposes the assumption of liquor license #354009 by Daniel Yarbrough and Library Sports Grill LLC from Sellzar Interests Inc (dba Fusion). Mr. Yarbrough is the current manager of Fusion Ultra Lounge located at 722 NE 45th St, Seattle WA 98105. Yarbrough's current management of Fusion and tumultuous history in nightclub ownership raises significant concerns for the City of Seattle. As such, the City of Seattle does not believe that Yarbrough is fit to possess, hold, control or manage a liquor license.

Yarbrough is the former owner of Club El Reventon, previously located in South Seattle at 7047 E. Marginal Way S. In September of 2011, King County initially denied Yarbrough's application for a business license for Reventon due to problems with a previous nightclub, Club Evo/Club Evolucion. Club Evo was formally operated by Alfredo Lopez and was closed after by court ordered injunction from King County Superior Court. (*Attachment A*).

Yarbrough was issued a liquor license on September 14, 2012 for Reventon. The issuance of this license was the subject of public protest that stemmed from Club Evo. Yarbrough responded in a letter to the WSLCB acknowledging the issues, but stated that he will take a different approach with Reventon. He said that it was his goal "to provide a safe, controllable restaurant and lounge for the community." In this letter Yarbrough also stated that his business "is always open to input for the community on how we can better serve them." (*Attachment B*). Yarbrough partnered with Lopez to operate Reventon.

Due to an increase of violence, community complaints, and documented service to minors, the Seattle Police Department declared Reventon a chronic nuisance on June 1, 2012. (*Attachment F*). Several days later the Seattle Police Department formally objected to the renewal of Reventon's liquor license. In the weeks prior to the chronic nuisance declaration and liquor license objection, Yarbrough sold Reventon to Lopez for \$1.00. As if anticipating



Seattle Police Department, 610 Fifth Avenue, PO Box 34986, Seattle, WA 98124-4986

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what was to come, Yarbrough stated his reasons for sale were a disinterest in investing more time and money in Reventon and a desire to have someone take over his lease responsibility and reduce his liability. (*Attachment C*).

Shortly after, Yarbrough and Club Reventon were named as Defendants in a civil suit brought by James Dore, the property owner of 7047 E. Marginal Way S. In that suit, Dore alleged that the Defendants had failed to pay past due rent, property taxes and utilities on the property in the amount of \$18,995.99. Dore sought to evict Yarbrough and Reventon from the property for those reasons. In October 2012, King County entered a judgment against Yarbrough and Club El Reventon LLC in the amount of \$24,106.68. (*Attachment D*).

In addition to currently managing Fusion, Yarbrough has held himself out to be the owner and night manager of Citrus South Lake Union. (*Attachment B*). Yarbrough described Citrus as “a great, safe location for our customers to dine and drink both day and night.” Despite this, Citrus has been plagued with violence that includes three shootings and at least four serious assaults in the past year, the most recent incident occurring on February 22, 2013. Consequently Citrus was declared a chronic nuisance on February 20, 2013. (*Attachment E*)

Fusion appears to be headed in the same direction as Citrus as a source of repeated noise complaints and violent activity. Below is a summary of all the significant incidents that have occurred at Fusion in the last year.

2/23/2013: SPD 13-63313

Police responded to a fight at a gas station one block east of FUsion. Suspects had just left the club as one male grabbed a baseball bat and smashed in a windshield. The windshield exploded and shards of glass impaled a victim in the eye.

2/9/2013: SPD 13-52066

A large fight erupted inside Fusion and suspects were told to leave. As a result approximately 50 patrons spilled onto the street outside the club as the fight resumed. Seattle police officers as well as Washington State Patrol responded to Fusion. Upon arrive police were forced to halt traffic in front of Fusion for five minutes to regain control of the situation.

1/5/2013: SPD 13-4948

Police received a report of shots fired outside Fusion in the parking lot at closing time. Shell casing were retrieved from the area and at least one vehicle was hit. Fusion security reported hearing five – six shots being fired. When police returned to Fusion to further interview club employees the doors were locked and it appeared that all staff had left.

12/15/2012: SPD 12-427295

Fusion patron was ejected due to his extreme intoxication and behavior inside the club. Suspect remained outside of club taunting and harassing security. As another patron left the club to smoke the suspect punched him the face and spat blood on him.

SPD 7/29/2012: SPD 12-246392

Victim was involved in fight with 30 plus people inside Fusion. Victim states he left the club and the fight continued in the parking lot across the street. The victim reported that he was dragged into a nearby garage and assaulted until he lost consciousness. Victim sustained two fractures to his face and a laceration above his eye. The suspects were not apprehended. Fusion security was questioned about the incident and acknowledged that the fight continued in the parking lot but could not provide specific details.

SPD 4/6/2012: SPD 12-96845

A highly intoxicated suspect broke the front glass door of Fusion with a metal stanchion. Fusion security immediately dosed the suspect with pepper spray. The suspect was transported to the hospital due to extreme intoxication and effects of pepper spray. Fusion manager Daniel Yarbrough reported that the door cost \$300.00, and he did not want to go forward with prosecution. The case was ultimately closed.

3/24/2012: SPD 12-88946

A very intoxicated suspect caused a disturbance inside Fusion and refused to leave. After security removed the patron he returned to the club with a six pack of beer. The suspect broke a beer bottle and began to wave it around and threaten the security guards. A Fusion security officer pulled out his .40 caliber hand gun and held the suspect at gun point in front of club until police arrived.

The following is a list of the dates in the past year when police were called to Fusion, but a full report was not written:

3/31/2012

Police were dispatched to a disturbance at the club. Police rendered assistance to control the crowd.

4/1/2012

Patron called police because as he was leaving the club he overheard someone state that there may a shooting in the area. Police located the suspect and ordered him to leave the area.

4/8/2012

Police responded to a noise complaint from a resident who lives near Fusion.

4/15/2012

Police were dispatched to a disturbance at the club. Police rendered assistance to control the crowd and patrons who appeared to be posturing to fight.

4/29/2012

Police responded to a disturbance call around closing time and rendered assistance to control the crowd.

5/6/2012

Police responded to a call that a fight had occurred at Fusion. When police arrived the parties dispersed and no one was willing to cooperate in an investigation.

5/13/2012

Police were dispatched to a disturbance at the club.

5/27/2012

Police were dispatched to a disturbance at the club. Officers noted handling multiple disturbances until the bar closed.

6/1/2012

Police were dispatched to a disturbance at the club.

6/2/2012

Police were dispatched to a disturbance at the club.

7/7/2012

Police were dispatched to a fight between two males at Fusion.

7/8/2012

Victim who had been assaulted at Fusion called police. Fusion security told police that no report was wanted.

7/29/2012

Fusion patron called police to report his vehicle had been damaged while he was inside the club.

8/15/2012

Fusion patron called police to report a hit and run on his vehicle while he was inside the club.

9/1/2012

Police were dispatched to a disturbance at the club.

10/13/2012

Police were dispatched to a fight at the club.

11/11/2012

Fusion patron called police to report that her car had been prowled.

11/18/2012

Police were dispatched to Fusion to look for a suspicious person.

12/8/2012

Police were dispatched to an assault after victim reported that her male friend was very intoxicated and shoved her inside the club.

12/8/2012

Police were dispatched to a public safety threat outside Fusion. Caller reported that a very intoxicated patron left the club, stumbled around the parking lot and laid down between two parked cars.

12/14/2012

Police responded to a noise complaint from a resident who lives near Fusion. Officers contacted the security guard and manager and told them to turn the music down.

12/15/2012

Police were dispatched to a disturbance at the club.

12/29/2012

Police responded to report of a violation of a no contact order. Victim was inside Fusion stated her boyfriend had broken her arm the week prior and was just dropped off at the club. Police were unable to locate the suspect.

1/31/2013

Police responded to a call of 4 males fighting in front of the Fusion. Parties dispersed when police arrived.

As demonstrated above, Fusion requires significant attention from the Seattle Police Department and considerably more attention than any other club in the North Precinct. Due to its high call volume and potential for danger Seattle Police has mandated that four officers and a sergeant monitor Fusion every Friday and Saturday night. Additionally, all patrol officers have been instructed to supplement police efforts at closing time. Despite this, issues at the club persist.

To address the application itself, it is somewhat curious that Yarbrough plans to rename Fusion - Library Sports Grill. Traditionally a sports grill is a place for sports fans to sit and watch games on televisions throughout the day. Sports grills tend to open mid to late morning to accommodate events that may begin earlier or on the East Coast. This is not the case with Library Sports Grill. Yarbrough stated that he plans to open the venue at 4p.m. For a sports grill, this is an exceptionally late start time. Additionally, Yarbrough failed to affirmatively answer the question as to whether he was going to have any entertainment, and if so, what that entertainment may be. By answering "maybe" it appears that Yarbrough is unclear as to the vision of this establishment. Based on his previous venues and styles, it is more likely than not, this new venture will resume the old style of a night club.

Yarbrough also notes that minors will be allowed in, as they are now. In fact, Fusion likes to advertise that it does not require ID. (*Attachment G*). Finally, of serious concern to the City is that Yarbrough will not be paying any monetary amount for the transfer of ownership because he will be assuming a debt with the landlord. Based on his past history of failure to pay rent, utilities, eviction and civil judgments, it appears a lofty undertaking for Yarbrough. Further, Yarbrough failed to provide any dollar amount, but simply stated "license fees" and noted that this money would be coming from his personal account. The lack of information and vague responses to the WSLCB interview raises concerns and leaves

a variety of unanswered questions. Consequently, there is little proof that Library Sports Grill will be different from Fusion in anyway but name.

Yarbrough's history with Reventon, Citrus and Fusion demonstrate that he tolerates an unsafe nightlife environment. For these reasons the City of Seattle believes that Yarbrough is unfit to possess, hold, control or manage a liquor license. The City of Seattle objects to the Washington State Liquor Control Board granting Yarbrough a liquor license and requests that the change of corporate ownership be denied.

Sincerely,

A handwritten signature in cursive script, appearing to read "Michael Sanford".

Assistant Chief Michael Sanford
Seattle Police Department

Attachments (7)

cc: Dean Lau, Washington State Liquor Control Board
Bill Reddy, Code Compliance Team
Captain Robin Clark, North Precinct Commander
Jana Jorgensen, North Precinct Liaison Attorney

ATTACHMENT A

FILED

10 OCT 12 PM 2:26

KING COUNTY
 SUPERIOR COURT CLERK
 E-FILED
 CASE NUMBER: 10-2-38178-2 KNT

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

KING COUNTY,

Plaintiff,

No.

vs.

ALFREDO LOPEZ,

Defendant.

COMPLAINT FOR
 MANDATORY INJUNCTION
 AND COLLECTION
 OF CIVIL PENALTIES

Plaintiff King County, by and through Daniel T. Satterberg, King County Prosecuting Attorney, and Cristy Craig, Senior Deputy Prosecuting Attorney, brings this action against the defendants named herein and alleges as follows:

I. JURISDICTION AND VENUE

1. This action is brought by plaintiff King County to obtain an injunction requiring compliance with licensing requirements in accordance with the King County Code ("KCC") and to collect civil penalties imposed as a result of code violations.

COMPLAINT FOR
 MANDATORY INJUNCTION
 AND COLLECTION OF
 CIVIL PENALTIES - 1
 N:\Land Use\CRAIGCRIBSD and JLA\Club Bvd\COMPLAINT NO APPEAL.doc

Daniel T. Satterberg, Prosecuting Attorney
 CIVIL DIVISION
 W400 King County Courthouse
 516 Third Avenue
 Seattle, Washington 98104
 (206) 296-9015/SCAN 667-9015
 FAX (206) 296-0191

2. Plaintiff King County is a political subdivision of the State of Washington, authorized by Article XI, Section 11 of the Washington State Constitution to make and enforce land use laws in unincorporated King County.

3. Defendant Alfredo Lopez is believed to be an individual residing in the State of California. To the best of plaintiff's knowledge, defendant is not actively serving in the U.S. military. Defendant Alfredo Lopez is an attorney licensed in the State of Washington.

4. On information and belief, Alfredo Lopez is the owner of the real property that is the subject of this Complaint, and has operated and continues to operate a dance hall commonly known as Club Evolucion on the property, without a public amusement license, a dance hall license, or a business license of any kind.

5. Club Evolucion has been operated and continues to be operated by Mr. Lopez, and his agents and assignees at approximately 9625 16th Avenue SW, Seattle Washington, which property has been described as follows:

ACCOUNT: 3107400135

QSTR: NE 01 23 03

LEGAL DESCRIPTION:

LOT: 8-9 BLOCK: 2 Plat: HAPPY HOME ADD N 22 FT OF 8 & ALL OF 9.

(the "subject property").

5. The business which is the subject of this Complaint is and has been operated in unincorporated King County by defendant Alfredo Lopez.

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II. STATEMENT OF FACTS

1. On September 14, 2010 DDES issued, by certified mail, a Notice and Order to Alfredo Lopez and Club Evolucion, formally ordering Lopez to obtain a business license by September 28, 2010 or to cease operation of Club Evolucion or any similar business by any name on the subject property. The Notice and Order are attached to this Complaint and are adopted by reference pursuant to CR 10(c).

2. The Notice and Order cited Lopez for:

1. Operation of an entertainment or amusement facility, Club Evolucion dance hall, for the benefit of the public by a business or individual without a King County business license in violation of sections 6.20.020 and 6.08.020 of the King County Code.

3. The Notice and Order required Lopez to:

1. Apply for a Public Entertainment King County Business License by September 28, 2010 and obtain the license OR cease operation of the business known as "Club Evolucion" and any and all similar businesses by any name at the above-listed location by September 28, 2010.

4. On September 14, 2010 King County sent the Notice and Order by certified mail to the subject property at its business address as listed on Lopez's 2004 business license, as required by the King County Code. Lopez's 2004 business license expired one year after issuance and was never renewed. Pursuant to KCC 6.01.130(B) service was complete on the date of mailing.

5. The Notice and Order warned Lopez that, should he not obtain a business license by September 28, 2010, a \$250.00 penalty would accrue. Lopez has not obtained a business license and the \$250.00 penalty accrued. No payment has been made toward these costs.

6. The Notice and Order set forth procedures by which Lopez could appeal its findings and requirements to the King County Board of Equalization and Appeals. In accordance with KCC 6.01.130, Lopez was notified that he had 7 days from the date of service of the Notice and Order to file an appeal, and that failure to appeal would constitute a waiver of his rights to an administrative hearing and determination of the matter.

7. Lopez failed to timely request an appeal of the Notice and Order. The Notice and Order and the facts of the case set forth therein became final pursuant to KCC 6.01.130(5).

8. To date, the subject property has not been brought into compliance and the violations set forth in the Notice and Order are unresolved. Club Evolucion continues to be open for business and no license application has been submitted to King County.

III. LEGAL AUTHORITY

1. In support of the allegations set forth in the Notice and Order, the County relies on the following statutory provisions. This information is provided as an aid to understanding the allegations of this Complaint and the County expressly reserves the right to rely on additional statutory authority as necessary during the course of these proceedings.

KCC 6.01.120	Duties of the Director
KCC 6.01.130	Notice and Order authority
KCC 6.01.130(5)	Appeal to Board of Appeals/Effect of failure to appeal
KCC 6.01.140	Authorization for civil penalties
KCC 6.01.180	Authority to seek additional remedies
KCC 6.08.020	Public amusement license required

KCC 6.08.130	Civil penalty authorized
KCC 6.08.140	Authority to seek additional enforcement remedies
KCC 6.20.020	Dance Hall license required
KCC 6.20.030	Yearly or half-yearly renewal required
KCC 6.20.130	Authority to seek additional enforcement

IV. PRAYER FOR RELIEF

WHEREFORE, plaintiff King County requests judgment against the defendant as follows:

1. An injunction requiring defendant and his agents and assignees to immediately cease operation of the dance club known as Club Evolucion, and/or any similar business by any name on the subject property, until all proper licenses are obtained.
2. Awarding King County civil penalties properly assessed against defendant in the amount of \$250.00.
3. Awarding King County its costs, disbursements, and reasonable attorney's fees herein; and,
4. Awarding King County such other relief as this Court may deem proper.

DATED this 12th day of October, 2010.

Respectfully submitted,

DANIEL T. SATTERBERG
King County Prosecuting Attorney

By:

Cristy Craig
CRISTY CRAIG, WSBA #27451
Senior Deputy Prosecuting Attorney
Attorneys for Plaintiff King County

**KING COUNTY
DEPARTMENT OF DEVELOPMENT
AND ENVIRONMENTAL SERVICES
Building Services Division
Code Enforcement Section
900 Oakesdale Avenue Southwest
Renton, WA 98057-5212**

V.

Club Evolution
9625 16th Ave. SW
Seattle, Wa. 98146

Alfredo Lopez
1811 S 233rd St.
Des Moines, Wa. 98198

**NOTICE OF KING COUNTY CODE
VIOLATION; CIVIL PENALTY
ORDER; ABATEMENT ORDER; DUTY
TO NOTIFY**

CASE NUMBER: E1000445
Second Order

ZONING: CB

ADDRESS: 9625 16th Ave. SW

ACCOUNT: 3107400135

LEGAL DESCRIPTION:

STR: NE 01-23-03

LOT: 8-9 BLOCK: 2 Plat: HAPPY HOME ADD N 22 FT OF 8 & ALL OF 9

**YOU HAVE BEEN FOUND TO HAVE COMMITTED A CIVIL CODE VIOLATION AND
TO BE A PERSON RESPONSIBLE FOR CODE COMPLIANCE, AND YOU ARE HEREBY
NOTIFIED AND ORDERED PURSUANT TO KING COUNTY ORDINANCE 1888, AS
AMENDED, OF THE FOLLOWING:**

CIVIL CODE VIOLATIONS:

The King County Department of Development and Environmental Services has found the
above-described business is operated in violation of the King County Code (KCC).

**THEREFORE, YOU ARE ORDERED TO CORRECT VIOLATIONS LISTED BELOW IN
ACCORDANCE WITH KING COUNTY CODE TITLE 6.01, 6.08, AND 6.20:**

1. Operation of an entertainment or amusement facility, Club Evolution dance hall, for the
benefit of the public by a business or individual without a King County business license in
violation of sections 6.20.020 and 6.08.020 of the King County Code.

TO BRING THIS PROPERTY INTO COMPLIANCE:

1. Apply for a Public Entertainment King County Business License by September 28, 2010
and obtain the license OR cease operation of the business known as "Club Evolution"
and any and all similar businesses by any name at the above-listed location by
September 28, 2010.

**FAILURE TO COMPLY WITH THIS NOTICE AND ORDER MAY SUBJECT YOU TO
ADDITIONAL CIVIL PENALTIES, ABATEMENT, MISDEMEANOR ACTIONS AND/OR
SUPERIOR COURT ACTION, AND COULD LEAD TO THE DENIAL OF SUBSEQUENT
KING COUNTY PERMIT AND/OR BUSINESS LICENSE APPLICATIONS ON THE
SUBJECT PROPERTY.**

CIVIL PENALTY/NOTICE OF LIEN (KCC Section 6.01.140):

You shall correct the violation by the above date or you will incur the following civil penalties
against you:

Violation 1: \$250.00 to be paid with thirty days of billing.

This Department shall periodically bill you for the amount incurred up to and through the date
of billing. PERIODIC BILLS ARE DUE AND PAYABLE 30 DAYS FROM RECEIPT. If
any assessed penalty, fee or cost is not paid on or before the due date, King County may charge
the unpaid amount as a LIEN against the real property of all persons responsible for code
compliance and as a JOINT AND SEVERAL PERSONAL OBLIGATION of all persons
responsible for code compliance.

B1000445 Club Evolucion
September 14, 2010
Page 2

**CRIMINAL MISDEMEANOR/NON-COMPLIANCE WITH FINAL ORDER (KCC
Section 6.01.160):**

Any person violating or failing to comply with any of the provisions of any business license ordinance is guilty of a misdemeanor. Upon conviction, the person shall be punished by a fine of not to exceed one thousand dollars and/or imprisonment in the County Jail for a term not to exceed 90 days. Failure to corrected cited violations may lead to denial of subsequent King County permit and/or license applications on the subject property.

APPEAL (KCC Chapter 6.01):

Any person named in the Notice and Order or having any record or equitable title in the business against which the Notice and Order is alleged may appeal the order to the King County Board of Appeals. A notice of appeal must be received in writing by DDES within seven (7) days of service (by September 24, 2010). A form which includes a combined notice of appeal and a statement of appeal is included in this packet. You are not required to use the enclosed form. If you use the enclosed form, the entire completed form must be received by DDES by September 24, 2010. The DATE OF SERVICE is three business days after the Notice and Order is mailed. FAILURE TO FILE A TIMELY NOTICE OF APPEAL WITHIN THE DEADLINES SET FORTH ABOVE RENDERS THE NOTICE AND ORDER A FINAL DETERMINATION THAT THE CONDITIONS DESCRIBED IN THE NOTICE AND ORDER EXISTED AND CONSTITUTED A CIVIL CODE VIOLATION, AND THAT THE NAMED PARTY IS LIABLE AS A PERSON RESPONSIBLE FOR CODE COMPLIANCE.

DATED THIS SEPTEMBER 14, 2010.



Sheryl Lux
Interim Code Enforcement Supervisor

SL:AT:sl

The Honorable LeRoy McCullough

Hearing Date: November 12, 2010

Hearing Time: 8:30 a.m.

With Oral Argument

FILED

KING COUNTY, WASHINGTON

NOV 19 2010

SUPERIOR COURT CLERK

JY GINGER BARBER

DEPUTY

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

KING COUNTY,

Plaintiff,

No. 10-2-36178-2 KNT

vs.

ALFREDO LOPEZ,

Defendant.

ORDER GRANTING KING
COUNTY'S MOTION FOR
PRELIMINARY INJUNCTION

This matter came before the Court on November 19, 2010 on King County's motion for a preliminary injunction enjoining defendant Alfredo Lopez from operating the dance hall known as Club Evolucion at 9625 16th Ave SW, White Center. Notice of the motion was served upon defendant Alfredo Lopez on October 26, 2010. Oral argument was waived by the parties.

Based on the agreement of counsel and the pleadings herein, the Court finds that King County is substantially likely to prevail on the merits of this matter, and that absent an injunction it is highly likely that defendant Lopez will continue to operate Club Evolucion in a manner contrary to the requirements of the King County Code. Therefore King County has established that it is entitled to a preliminary injunction as set forth in RCW 7.40 and CR 65.

For the reasons set forth above,

ORIGINAL

ORDER GRANTING KING COUNTY'S
MOTION FOR PRELIMINARY INJUNCTION- 1

Daniel T. Satterberg, Prosecuting Attorney
CIVIL DIVISION
W400 King County Courthouse
516 Third Avenue
Seattle, Washington 98104
(206) 296-9015/FAX (206) 296-0191

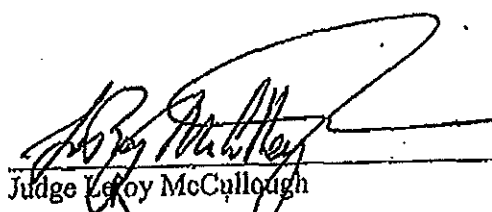
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2 It is hereby ORDERED that:

3 1. King County's motion is granted.

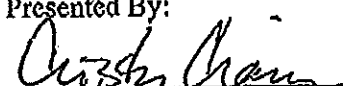
4 2. Defendant Alfredo Lopez, his officers, agents, servants, employees, and assignees, and
5 all other persons who receive actual notice of this order, are enjoined from operation of the dance
6 hall known as Club Evolucion or any similar business by any name on the subject property.

7 3. This order shall go into effect immediately and shall remain in effect until further order
8 of this Court, *or until some future business license application*
9 *it approved by King County.*

10 Dated this 19th day of November, 2010,

11 
12 Judge Leroy McCullough

13 Presented By:

14 
15 Cristy Craig WSBA #27451
16 Senior Deputy Prosecuting Attorney
17 Counsel for Plaintiff King County

18 Via telephone authorization By:

19 Scott Etherton
20 Scott Etherton, WSBA #29904
21 Etherton Law Office
22 Counsel for Defendant Alfredo Lopez
23

ORDER GRANTING KING COUNTY'S
MOTION FOR PRELIMINARY INJUNCTION- 2

Daniel T. Satterberg, Prosecuting Attorney
CIVIL DIVISION
W400 King County Courthouse
516 Third Avenue
Seattle, Washington 98104
(206) 296-9015/FAX (206) 296-0191

The Honorable LeRoy McCullough

Hearing Date: November 12, 2010

Hearing Time: 8:30 a.m.

With Oral Argument

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KING COUNTY, WASHINGTON

NOV 19 2010

SUPERIOR COURT CLERK

JY GINGER BARBER

DEPUTY

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

KING COUNTY,

Plaintiff,

No. 10-2-36178-2 KNT

vs.

ALFREDO LOPEZ,

Defendant.

ORDER GRANTING KING
COUNTY'S MOTION FOR
PRELIMINARY INJUNCTION

This matter came before the Court on November 19, 2010 on King County's motion for a preliminary injunction enjoining defendant Alfredo Lopez from operating the dance hall known as Club Evolucion at 9625 16th Ave SW, White Center. Notice of the motion was served upon defendant Alfredo Lopez on October 26, 2010. Oral argument was waived by the parties.

Based on the agreement of counsel and the pleadings herein, the Court finds that King County is substantially likely to prevail on the merits of this matter, and that absent an injunction it is highly likely that defendant Lopez will continue to operate Club Evolucion in a manner contrary to the requirements of the King County Code. Therefore King County has established that it is entitled to a preliminary injunction as set forth in RCW 7.40 and CR 65.

For the reasons set forth above,

ORIGINAL

ORDER GRANTING KING COUNTY'S
MOTION FOR PRELIMINARY INJUNCTION- 1

Daniel T. Satterberg, Prosecuting Attorney
CIVIL DIVISION
W400 King County Courthouse
516 Third Avenue
Seattle, Washington 98104
(206) 296-9015/FAX (206) 296-0191

1
2 It is hereby ORDERED that:

3 1. King County's motion is granted.

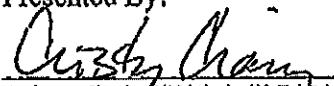
4 2. Defendant Alfredo Lopez, his officers, agents, servants, employees, and assignees, and
5 all other persons who receive actual notice of this order, are enjoined from operation of the dance
6 hall known as Club Evolucion or any similar business by any name on the subject property.

7 3. This order shall go into effect immediately and shall remain in effect until further order
8 of this Court, *or until some future business license application is approved by King County.*

9 Dated this 1st day of November, 2010,

10
11 
12 Judge Lefoy McCullough

13 Presented By:

14 
15 Cristy Craig WSBA #27451
16 Senior Deputy Prosecuting Attorney
17 Counsel for Plaintiff King County

18 Via telephone authorization By:

19 Scott Etherton
20 Scott Etherton, WSBA #29904
21 Etherton Law Office
22 Counsel for Defendant Alfredo Lopez
23

ORDER GRANTING KING COUNTY'S
MOTION FOR PRELIMINARY INJUNCTION- 2

Daniel T. Satterberg, Prosecuting Attorney
CIVIL DIVISION
W400 King County Courthouse
516 Third Avenue
Seattle, Washington 98104
(206) 296-9015/FAX (206) 296-0191

ATTACHMENT B

file
October 19, 2011

Reventon Interests, Inc.
7047 E. Marginal Way South
Seattle, WA 98108

Sherry Carpenter
PO Box 43098, 3000 Pacific Ave SE
Olympia WA 98504-3098

Dear Sherry Carpenter,

I am writing to you in response to the letter received regarding public protest to the issuance of the liquor license for Reventon Interests, Inc. I'd like to offer you many reasons why my business should be allowed to hold a liquor license.

I understand that in the past there have been problems with nightclubs in the Georgetown community. I would like to assure you that I am taking a different approach with Reventon. It is my goal to provide a safe, controllable restaurant and lounge for the community.

To begin, I am the owner of a successful restaurant called Citrus Lake Union. This restaurant holds a liquor license, and has held one since June of 2010. We offer a great, safe location for our customers to dine and drink both day and night. We are always open to input for the community on how we can better serve them.

I have already taken measures to ensure that the noise level of my business will be diminished. I did so by removing access to the doors that are located on the east side of the building. The main entrance is now located on the south side of the building. These new doors will help out the noise dramatically.

We do understand the importance of keeping our customers safe by selling alcohol responsibly and ensuring liquor laws are followed. As in any establishment, our bartenders are very conscientious about how much alcohol is allowed to be served to a customer. We will work our hardest to be aware of each and every situation and will be ready to take action to prevent harm to our patrons.

Additionally, all of our security guards that will be employed at Reventon will have completed training by the Seattle Police Department. Each and every guard will be equipped with the knowledge and tools to safely and calmly handle any situation that arises. They will also hold a certificate that shows successful completion of the course.

I would like to assure you, the Washington State Liquor Control Board, and the community that if granted this liquor license, Reventon would exceed all expectations. We will regularly take input from the community, by listening to each

RECEIVED
OCT 21 2011

Liquor Control Board
License Division

and every voice on how we can improve our business, so that the citizens who live close to Reventon feel safe and secure at all times.

Thank you in advance for your time and consideration.

Sincerely,

Daniel Yarbrough, Owner, Reventon Interests, Inc.
7047 E. Marginal Way South
Seattle, WA 98108

RECEIVED

OCT 21 2011

Liquor Control Board
License Division

ATTACHMENT C

AA



Washington State
Liquor Control Board

Licensing and Regulation Division
PO Box 43098
Olympia WA 98504-3098
360/684-1600
FAX 360/753-2710
www.lq.wa.gov

License No. 355 787-212

Trade Name Reventon

UBI No. 603-136-262-001-0001

OUTLINE OF COSTS

Please complete the Outline of Costs stating ALL FUNDS used for your current application.

(If you are making a change to your current business that already has a liquor license, state only the funds needed for this change to your business.)

REAL PROPERTY (land and building):

Lease rental (one month + deposit, if any) OR
Total purchase cost

\$ 4,910.69

Business purchase cost (Purchase & Sale Agreement normally includes trade name, good will, equipment, inventory, corporate stock or LLC units)

\$ 1.00

Costs of opening a new business (equipment, furniture, inventory) OR COST TO CHANGE YOUR CURRENTLY LICENSED BUSINESS

\$ 250.00

Remodeling/leasehold improvements/construction

\$ 0

Miscellaneous fees (such as license/gambling, legal, architectural, health/city/county permits, opening and closing costs, working capital, etc.)

\$ 0

GRAND TOTAL of costs \$ 5,161.69

* This total should equal the sum of ALL Source of Funds forms completed for this application

CERTIFICATION	I certify under penalty of perjury that all answers and statements are true, correct and complete. I understand that untruthful or misleading answers are cause for rejection of my application and/or revocation of any license granted. I hereby authorize investigation of my criminal history, financial records and other sources as necessary for licensing.
---------------	--

PRINT NAME Alfredo Lopez

SIGNATURE Alfredo Lopez
(Sole proprietor, partner, corporate officer or limited liability company manager or member)

RECEIVED DATE 7-20-12

JUL 26 2012



July 25, 2012



Reventon 385787
603-136-2622 ext-6601

I, Daniel Yarbrough submit this statement as requested regarding my sale of stock in Reventon Interests Inc. I sold my shares to Alfredo Lopez for one dollar. The sale amount was based upon the fact that I did not want to continue to run the business of Reventon. I was very busy with my other business interests and had no time for Reventon. In addition, I did not want to continue to invest time and money in Reventon. As I was personally obligated on the lease. I also wanted someone to take over that responsibility and reduce my liability in regards to Reventon. Any additional questions feel free to contact me at 206 920-6780.

Sincerely,

Daniel Yarbrough

RECEIVED
JUL 26 2012
LICENSING DIVISION

ATTACHMENT D

EXP04

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING

James J. Dore, Jr., a single man,

Plaintiff,

vs.

Daniel Yarbrough a single man, Reventon
Interests, Inc. dba Club El Reventon, a for
profit corporation doing business in the state of
Washington,

Defendants

Case No.: 12-2-31286-9

ORDER FOR EVICTION, PAST RENT,
ATTORNEY'S FEES AND COSTS
(CLERK'S ACTION REQUIRED)

This motion comes before the above-entitled court pursuant to show cause
hearing and the court being fully advised of the premises it is hereby:

ORDERED, ADJUDGED AND DECREED as follows:

1. That judgment is entered against defendants in the amount of
\$24,106.68 for past rent due;
2. A writ of execution is granted directing the sheriff to evict the
defendants from the premises;
3. Attorney's fees and costs are granted in the amount of \$ 734.00;

ORDER FOR EVICTION, PAST RENT
ATTORNEY'S FEES AND COSTS

DORE DEUTSCHER LAW GROUP, PLLC
1122 W James St
Kent WA 98032
(253) 850-6411

PAGE - 1

- 1 4. That a bond be issued in favor of the King County Sheriff in the
2 amount of \$ NA RELA
3 5. The clerk is directed to issue a writ of restitution forthwith
4 restoring possession of the property at 7047 East Marginal Way
5 South, Seattle, WA to James J. Dore.

6 DONE IN OPEN COURT this 23 day of October, 2012.
7

8
9 Hollis Holman
10 JUDGE/COURT COMMISSIONER

11 Presented by:

Hollis Holman

12 DORE DEUTSCHER LAW GROUP, PLLC

13
14 James J. Dore, Jr., WSB # 22106
15 Attorney for Plaintiff
16 1122 West James Street
17 Kent, WA 98032

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25 ORDER FOR EVICTION, PAST RENT
 ATTORNEY'S FEES AND COSTS

DORE DEUTSCHER LAW GROUP, PLLC
1122 W James St
Kent WA 98032
(253) 850-6411

EXP04

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7 IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
8 IN AND FOR THE COUNTY OF KING
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10 James J. Dore, Jr., a single man,

11 Plaintiff,

12
13 vs.

14 Daniel Yarbrough a single man, Reventon
15 Interests, Inc. dba Club El Reventon, a for
16 profit corporation doing business in the state of
Washington,

17 Defendants

Case No.: 12-2-31286-9

ORDER FOR WRIT OF RESTITUTION

18 THIS MATTER HAVING come on regularly for hearing this day before the
19 undersigned upon an Order to Show Cause obtained by plaintiff, requiring defendant to
20 show cause, if any there by, why a Writ of Restitution should not be issued restoring to
21 plaintiff possession of the premises described as:

22 7047 East Marginal Way South, Seattle, WA 98134
23
24

25 ORDER FOR WRIT
OF RESTITUTION

PAGE - 1

DORR & DORR, P.S.
1122 W James St
Kent WA 98032
(253) 850-6411

1 And it appearing to the court from an examination of the files and records herein, that
2 plaintiff is entitled to have such a Writ of Restitution and that the Court has jurisdiction to
3 order the Writ issued; NOW, THEREFORE,

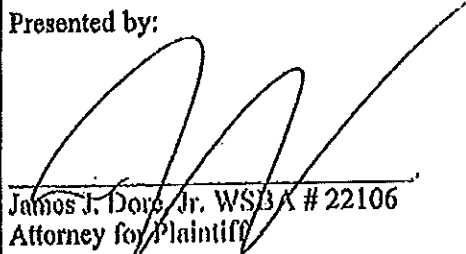
4 IT IS HEREBY ORDERED that a Writ of Restitution be issued by the clerk of
5 this Court in the form provided by law, restoring to plaintiff possession of said premises.
6 Plaintiff shall not be required to post a recitation bond.

7
8 DONE IN OPEN COURT this 23 day of October, 2012.

9 Hollis C. Holman
10 Judge Commissioner

11 Presented by:

Hollis Holman

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14 James J. Dore, Jr. WSBA # 22106
15 Attorney for Plaintiff

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25 ORDER FOR WRIT
OF RESTITUTION

PAGE - 2

DORB & DORE, P.S.
1122 W James St
Kent WA 98032
(253) 850-6411

ATTACHMENT E



City of Seattle

Seattle Police Department

February 20, 2013

David Pitt
1001 Fairview LLC
1329 N Northlake Way
Seattle, WA 98013

VIA CERTIFIED AND FIRST CLASS MAIL OR PERSONAL SERVICE

RE: Declaration of Chronic Nuisance Property
Property located at 1001 Fairview Avenue North, Seattle, Washington 98109

Mr. Pitt:

You have been identified as the person in charge of the property listed above. Pursuant to the authority granted to me as Chief of Police under Seattle Municipal Code (SMC) 10.09, I have declared the property located at 1001 Fairview Avenue North, Seattle, Washington as a Chronic Nuisance Property. This declaration was made based upon the following nuisance activities which have occurred on the property during a 12 month period:

1. **Serious Assault** -- On January 14, 2012, officers responded to a fight involving 10-15 males. The victim attempted to break up a fight and was punched in the head and tazed by unknown suspects. *GO 12-13715.*
2. **Shots Fired/Serious Assault** -- On January 28, 2012, officers responded to a shooting at the property, where at least three were injured with several gunshot wounds. *GO 12-26486.*
3. **Serious Assault** -- On June 7, 2012, a victim was punched in the jaw, causing severe injury and infection in his jaw. *GO 12-192610.*
4. **Shots Fired/Property Destruction** -- On August 4, 2012, shots were fired in the property's parking lot. Security personnel on the scene claimed that the noise was fireworks. A citizen called and reported that his car had been hit by gunfire in front of the property. A bullet was also located in front of the property. A 9mm bullet was also located at the Fred Hutchinson Cancer Research Institute across the street from the property. *GO 12-254977.*



Seattle Police Department, 610 Fifth Avenue, PO Box 34986, Seattle, WA 98124-4986
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Accommodations for people with disabilities provided upon request. Call (206) 233-7203 at least two weeks in advance.

5. **Assault** -- On November 3, 2012, a suspect assaulted the victim in the face several times in the property's parking lot. *GO-12-378572.*
6. **Robbery** -- On November 22, 2012, the victim, while leaving Citrus Nightclub, was assaulted in the face by a suspect she vaguely knew. The victim fell to the ground and was punched, stomped upon, and briefly lost consciousness. Her cell phone was taken during the assault. *GO 12-400219.*
7. **Assault** -- On November 22, 2012, two victims were assaulted on the property's parking lot. Pepper spray was deployed and both victims sustained injuries. *GO 12-402026.*
8. **Shots Fired/Serious Assault** -- November 25, 2012, gunshots were fired in the property parking lot, resulting in SPD officers firing back at the suspect. *GO 12-402798.*

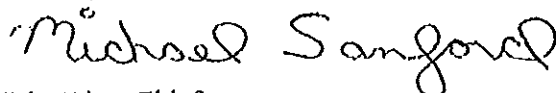
As the person in charge of a chronic nuisance property, you must respond within seven (7) days of service of this notice to discuss a course of action to correct the nuisance. If you fail to respond to this notice within seven (7) days or if you fail to voluntarily correct the nuisance to the satisfaction of the Chief of Police, the City may file an action to abate your property as a chronic nuisance property pursuant to SMC 10.09.060 and/or take other action against the property or person in charge.

Failure to respond to this notice or failure to voluntarily abate the chronic nuisance to the satisfaction of the Chief of Police will subject you to a penalty of up to \$500.00 per day from the date of this notice. If the owner of a chronic nuisance property is not the person in charge of the property, the owner shall promptly take all reasonable steps requested in writing by the Chief of Police to assist in abatement of the nuisance property. An owner who fails to comply with the request will be subject to a penalty of up to \$25,000.00 (SMC 10.09.050).

You may respond to this notice by contacting Lt. Deanna Nollette at (206) 615-1558.

Thank you for your attention to this matter.

Sincerely,



John Diaz, Chief
Seattle Police Department

ATTACHMENT F



City of Seattle

Seattle Police Department

June 1, 2012

VIA CERTIFIED AND FIRST CLASS MAIL

RE: Declaration of Chronic Nuisance Property
Property located at 7047 East Marginal Way S, Seattle, WA 98108 (Club El Reventon).

Dear James Dore, Jr.:

You have been identified as the person in charge of the property listed above. Pursuant to the authority granted to me as Chief of Police, under Seattle Municipal Code (SMC) 10.09, I have declared the property located at 7047 East Marginal Way S, Seattle, Washington (Club El Reventon) to be a Chronic Nuisance Property. This declaration was made based upon the following nuisance activities which have occurred on the property during a sixty (60) day period:

(Please see Attachment A [pages 2-4]).

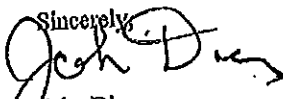
As the person in charge of a chronic nuisance property, you must respond within seven (7) days of service of this notice to discuss a course of action to correct the nuisance. If you fail to respond to this notice within seven (7) days or if you fail to voluntarily correct the nuisance to the satisfaction of the Chief of Police, the City may file an action to abate your property as a chronic nuisance property pursuant to SMC 10.09.060 and/or take other action against the property or person in charge.

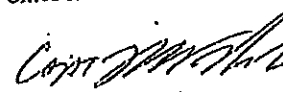
Failure to respond to this notice or failure to voluntarily abate the chronic nuisance to the satisfaction of the Chief of Police will subject you to a penalty of up to \$500.00 per day from the date of this notice. If the owner of a chronic nuisance property is not the person in charge of the property, the owner shall promptly take all reasonable steps requested in writing by the Chief of Police to assist in abatement of the nuisance property. An owner who fails to comply with the request will be subject to a penalty of up to \$25,000.00 (SMC 10.09.050).

You may respond to this notice by calling: The South Precinct Seattle Police Department, Sergeant Ann Martin, at (206) 386-1393.

Thank you for your attention to this matter.

Sincerely,


John Diaz
Chief of Police


Captain Mike Nolan
South Precinct Commander



Seattle Police Department, 610 Fifth Avenue, PO Box 34986, Seattle, WA 98124-4986
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ATTACHMENT

A

February 26, 2012 - 2:15 a.m.

SPD Incident Report #2012-59322

On 2/26/12, an 18-year-old female stepped outside Club El Reventon to get some fresh air, her boyfriend was outside and approached her in the parking lot. The suspect yelled at the victim, "Bitch! What are you doing?" The suspect then grabbed the victim by her left wrist and started pulling her toward his friend's car. The suspect told victim to get inside the car. When the victim got inside the car, she was hit approximately four times, including in the face causing her nose to bleed. The victim reported the assault to her mother the next day and was taken to report the incident to SPD. The victim had visible bruises on her face, arms, and legs. She also had scratches on her back and ankles. The victim's nose appeared crooked, so her mother took her to the hospital. Suspect was charged in Seattle Municipal Court for one count of Domestic Violence Assault under SMC 576907. The criminal case is currently pending.

March 5, 2012

SPD Incident Report #2012-59322, Follow-Up Report

On 3/5/12, the same suspect involved with the Domestic Violence assault on February 26, 2012, SPD # 2012-59322, was at Club El Reventon where he had to be physically removed from the club due to a fight altercation. Suspect was found inside the club later that night violating a no contact order stemming from the prior DV incident.

March 4, 2012 - 12:53 a.m.

SPD Incident Report #2012-66059

On 3/4/12, SPD was dispatched to Club El Reventon because an 18-year-old female was found unconscious in the club. When the female regained consciousness, she told officers that she got into a punching fight with another female inside of the club. Officers noted that the female had an odor of intoxicants on her breath.

March 11, 2012 - 12:58 a.m.

SPD Incident report #2012-74295

On 3/11/12, while inside Club El Reventon, victim was approached by another female who began bad mouthing victim's child. The suspect then threw a lime at the victim. The victim walked away and as she was leaving, the suspect threw a beer at the victim. The victim threw her drink back. The suspect then approached the victim and hit her on the right side of the head with a beer bottle. The two females went outside and began to argue. The victim was light headed from being hit on the head and transported to the hospital.



City of Seattle

Seattle Police Department

March 18, 2012 – 12:15 a.m.

SPD Incident report #2012-82004

On 3/18/12, officers observed a small crowd come out of the main entrance of Club El Reventon. Two males appeared to be squaring off to fight each other. Officers intervened and separated the two individuals. One individual's girlfriend stated that the other was "mean mugging" and "talking shit" about her boyfriend.

March 18, 2012 – 1:33 a.m.

SPD Incident report #2012-82119

On 3/18/12, SPD Officers responded to a fight disturbance at Club El Reventon. Officers were signaled to a 17-year-old female passed out near the front entrance. She was unresponsive and attempting to throw up. SPD Officers could smell the odor of alcohol on the 17-year-old. She regained consciousness and told Officers she had been drinking shots of vodka. SPD was called and the 17-year-old was treated and taken to Harborview Medical Center for alcohol poisoning.

March 25, 2012 – 1:34 a.m.

Seattle Police Department (SPD) Incident Report #2012-90124

On 3/25/12, a victim left Club El Reventon when a vehicle pulled up next to him in the parking lot of the building. The rear passenger leaned out the window, threw up a gang sign, and yelled, "Eastsidel What's up homie? Do you want to fight me?" The rear passenger then pulled out a handgun and showed it to the victim. Another passenger said, "Shoot him!" The suspect then raised the gun into the air and fired one shot. The victim ran back towards Club El Reventon. SPD later arrested the occupants of the vehicle and suspect who fired the gun. SPD also recovered a handgun on the ground near where the suspect was arrested. Both arrestees advised SPD that they belong to or have affiliation with the Little Valley Lokotes Street Gang. The victim stated that he had an affiliation with the Green Hustlers Street Gang.

April 28, 2012

SPD Incident report #2012-134660

On 5/2/12, three 15-year-old females gave a report at North Precinct about the night of 4/28/12 at Club El Reventon. Prior to going to Club El Reventon, the three females drank a pint of Mad Dog 20/20. At the club, one female started to feel the effects of intoxication; she spent most of the night in the Club El Reventon bathroom stall, unknown to her if she passed out or not. The two other females blacked out for an unknown period of time, waking up in the vehicle they arrived in. A witness, who attended the same high school as the girls, approached the female in the bathroom to say two males were taking her two friends to a car in the parking lot. One female began to get physically sick in the parking lot. The next Monday, the two females who blacked out in the vehicle began to complain of female medical problems,



City of Seattle

Seattle Police Department

possibly related to a sexual assault. Both went to the hospital to be medically screened.

April 28, 2012

SPD Incident report #2012-130833

On 4/29/12, SPD responded to a hospital where a 15-year-old girl was taken after she was beaten at Club El Reventon. At Club El Reventon, a group of teenage girls got into an argument over an issue on Facebook. A physical fight resulted with the victim being kicked, hit, and beaten while on the ground. The victim sustained bruising and cuts on her head, knees, shoulders, wrists, and neck.

ATTACHMENT G

Tremendo

SUNDAY FEB 17TH

NEON

STOP LIGHT PARTY

RED - IN TAKEN

YELLOW - LOOKING FOR BETTER

GREEN - SINGLE AND READY

FREE RITZ STICKS FOR EVERYONE

ORIGINALLY FROM THE 1980S AND 1990S

TO EVENT ADULTS ONLY

FUSION

BOO

celebrating 1000000

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722 NE 45TH STREET SEATTLE WA 98105